



# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)		Application Number	10/660,857
		Filing Date	September 12, 2003
		First Named Inventor	PHAN, LOC X.
		Art Unit	Unassigned
		Examiner Name	Unassigned
Total Number of Pages in This Submission	6	Attorney Docket Number	018563-001140US

## ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement (2 pgs) w/attached PTO/SB/08A (1 pg), and PTO/SB/08B (1 pg) (citing references 1- 19) <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Postcard
Remarks: The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual	Townsend and Townsend and Crew LLP	
	Lynn M. Thompson	Reg. No. 47,991
Signature		
Date	10/2/03	

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

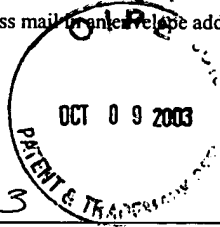
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10-6-03



PATENT  
Attorney Docket No.: 018563-001140US  
Client Reference No.: AT-00014.3

TOWNSEND and TOWNSEND and CREW LLP

By:

Edward Masinas

Edward Masinas

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

LOC X. PHAN et al.

Application No.: 10/660,857

Filed: September 12, 2003

For: ATTACHMENT DEVICES AND  
METHODS FOR A DENTAL  
APPLIANCE

Examiner: Unassigned

Art Unit: Unassigned

INFORMATION DISCLOSURE  
STATEMENT UNDER 37 CFR §1.97 and  
§1.98

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450


Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. In accordance with 37 CFR §1.98(d), copies of the references can be found in Application No. 10/040,269, (Attorney Docket No. 018563-001120US). It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

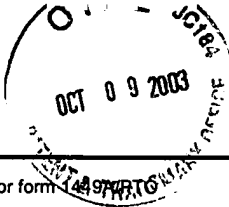
As provided for by 37 CFR 1.97(g) and (h), no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information, and no inference should be made that the information and references cited are, or are considered to be material to patentability because they are in this statement. No inference should be made that the information and references cited are prior art merely because they are in this statement.

Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

  
Lynn M. Thompson  
Reg. No. 47,991

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LMT:rms  
60050398 v1



<b>Substitute for form 1449 PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)		<b>Complete if Known</b>			
		Application Number	10/660,857		
		Filing Date	September 12, 2003		
		First Named Inventor	PHAN, LOC X.		
		Art Unit	Unassigned		
		Examiner Name	Unassigned		
Sheet	1	of	2	Attorney Docket Number	018563-001140US

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code <sup>2</sup> (if known)			
	1	3,922,786	12/1975	Lavin	
	2	5,011,705	4/1991	Lemchen	
	3	5,957,686	9/1999	Anthony	
	4	5,964,587	10/1999	Sato	
	5	5,971,754	10/1999	Sondhi et al.	
	6	5,975,893	11/1999	Chistiti et al.	
	7	6,309,215	10/2001	Phan et al.	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code* (if known)				
	8	WO	98/58596		12/1998			

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Kind Codes of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.  
60050398 v1

Substitute for form 1449B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)		<b>Complete if Known</b>			
		Application Number	10/660,857		
		Filing Date	September 12, 2003		
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		Art Unit	Unassigned		
		Examiner Name	Unassigned		
Sheet	2	of	2	Attorney Docket Number	018563-001140US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	9	Chippone, "Constructing the gnathologic setup and positioner" <i>Journal of Clinical Orthodontics</i> (1980) 14:121-133.	
	10	Cottingham, "Gnathologic clear plastic positioner" <i>American Journal of Orthodontics</i> (1969) 55:23-31.	
	11	Cureton, "Correcting malaligned mandibular incisors with removable retainers" <i>Journal of Clinical Orthodontics</i> (1996) 30:390-395.	
	12	Kesling et al., "The philosophy of the tooth positioning appliance" <i>American Journal of Orthodontics and Oral Surgery</i> (1945) 31:297-304.	
	13	Kesling et al., "Coordinating the predetermined pattern and tooth positioner with conventional treatment" <i>American Journal of Orthodontics and Oral Surgery</i> (1945) 32:285-293.	
	14	Kleeman et al., "The speed positioner" <i>Journal of Clinical Orthodontics</i> (1996) 30:673-680.	
	15	Product Brochure, Raintree Essix™, Inc. New Orleans, Louisiana 70125, 7 pages total from <a href="http://www.essix.com/magazine/default.html">http://www.essix.com/magazine/default.html</a> .	
	16	Product Brochure, Tru-tain Orthodontic & Dental Supplies, Rochester, Minnesota 55902, 16 pages total.	
	17	Shilliday, "Minimizing finishing problems with the mini-positioner" <i>American Journal of Orthodontics</i> (1971) 59:596-599.	
	18	Warunek et al., "Clinical use of silicone elastomer appliances" <i>Journal of Clinical Orthodontics</i> (1989) 23:694-700.	
	19	Wells, "Application of the positioner appliance in orthodontic treatment" <i>American Journal of Orthodontics</i> (1969) 55:23-31.	

Examiner Signature		Date Considered	
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\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.